(18)

HIGH COURT OF CHHATTISGARH AT BILASPUR

WRIT PETITION (S) No. 2651 of 2007

PETITIONER : Markela Bakaiya, S/o Shri Morka, Aged about 60 Years, Post-Teacher, Government High School Pamgal, Block Bhopalpatnam, District South Bastar Dantewada, (C.G.)

VERSUS

RESPONDENTS : 1. State of Chhattisgarh Through : the Secretary School Education Department Ministry, D.K.S. Bhavan, Raipur (C.G.)

2. The District Education Officer, Dantewada, District South Bastar Dantewada, (C.G.)

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA

S.B. : HON'BLE JUSTICE SHRI SATISH K. AGNIHOTRI

Present: Shri Alok Dewangan, Advocate for the petitioner.
Ms. Sunita Jain, Panel Lawyer for the State / respondents.

ORDER

(Passed on 2nd day of May, 2007)

1. Learned counsel appearing for the petitioner as well as for the State/respondents jointly submit that the fact and question of law involved in the present writ petition are the same to that of in **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another {2006 (II) MPJR-CG 96}**, which has been disposed of vide order dated 03.04.2006. Learned counsel appearing for the respondents does not controvert the said submission.

2. Accordingly, the writ petition is allowed in terms of the order passed in the case of **Yashwant Kumar Bharadwaj Vs. Municipal Corporation, Durg and another** (Supra), subject to verification of the fact as to whether the petitioner has acquired B.Ed. Examination Certificate on his own expenses as per the circulars dated 24.12.1998 and 01.03.1999 and further whether he has been paid two advance increments or not. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge